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FM AMEMBASSY ASHGABAT
TO RUEHC/SECSTATE WASHDC PRIORITY 0286
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE PRIORITY
RUCNCIS/CIS COLLECTIVE PRIORITY
RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY
RUEHAK/AMEMBASSY ANKARA PRIORITY 3391
RUEHBJ/AMEMBASSY BEIJING PRIORITY 1209
RUEHKO/AMEMBASSY TOKYO PRIORITY 1076
RUEHIT/AMCONSUL ISTANBUL PRIORITY 1645
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0728
RHMFIUU/CDR USCENTCOM MACDILL AFB FL PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 1388
RUEHVEN/USMISSION USOSCE PRIORITY 2229
RUEAIIA/CIA WASHDC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY

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SIPDIS

SENSITIVE
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STATE FOR SCA/CEN, DRL

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [TX](#)

SUBJECT: TURKMENISTAN: UNDP HELPING PREPARE REPORT FOR UN
HUMAN RIGHTS COUNCIL

REF: ASHGABAT 0159

¶1. (U) Sensitive but unclassified. Not for public Internet.

¶2. (SBU) SUMMARY: UNDP is working with Turkmenistan's Human Rights Commission to formulate a plan to complete two key UN reports Turkmenistan agreed to submit by the end of ¶2008. The more significant report, which Turkmenistan agreed to present to the UN Human Rights Council, is a status report on its efforts to implement all international human rights standards as described in the Universal Declaration of Human Rights. The looming submission date could also have the effect of encouraging further improvements in Turkmenistan's human rights practices. END SUMMARY.

PREPARING FOR GENEVA

¶3. (SBU) Poloff met February 4 with Irina Liczek, UNDP's lead advisor in the effort to bring Turkmenistan into conformity with its UN human rights obligations. She has been working closely with senior officials at the Institute for Democracy and Human Rights (IDHR) to develop short- and long-term implementation plans for Turkmenistan's Human Rights Commission, so that it can complete a long list of UN-mandated reports, while also plotting out a strategy for conducting broad legislative reform.

¶4. (SBU) UNDP is assisting the Human Rights Commission, through its IDHR contacts, in formulating a game plan for completing two key UN reports that Turkmenistan agreed to submit by the end of 2008. (NOTE: There are other, less significant reports that also must be submitted this year. END NOTE.) The report on the International Covenant on Economic, Social and Cultural Rights will be a one-time core document that summarizes Turkmenistan's implementation of relevant conventions, and also will include general information on the country, such as population statistics, geography, and political conditions.

15. (SBU) The more significant report Turkmenistan agreed to present to the UN Human Rights Council is to be reviewed during a new process called the Universal Periodic Review. The country will be assessed on the status of its efforts to implement all international human rights standards as described in the Universal Declaration of Human Rights. A Turkmen delegation will go to the Human Rights Council headquarters in Geneva in December 2008 and present its report for the first time.

DIRECT ACCESS PROMOTES EFFICIENT COOPERATION

16. (SBU) Liczek said her office has complete, direct access to and contact with Institute Director Shirin Akhmedova as well as the Institute's representative on the Human Rights Commission, Shemshat Atayeva, and does not have to submit dipnotes through MFA to hold meetings or to call. She described Akhmedova as one of a handful of reformists in the Government of Turkmenistan, who has been angry and disappointed by draft legislation the Commission approved in the past. Akhmedova is fully invested in the process, and has been completely cooperative and open with UNDP representatives.

17. (SBU) One growing concern that UNDP and Akhmedova share as Turkmenistan moves forward on reform plans is the lack of a constitutional court in Turkmenistan. This is expected to be problematic in the longer term, because any contradiction to Turkmenistan's Constitution that is inadvertently included in newly drafted legislation is unlikely to be properly addressed or remedied. And with so much new legislation moving forward, the risk of inconsistency may be growing. Liczek did not know whether Turkmenistan has any longer-term

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plan to create a court to deal with such issues.

18. (SBU) COMMENT: The UNDP's free access to IDHR, unhindered by a requirement for prior approval, is still unusual in Turkmenistan, and it is clear that both bodies are operating under special dispensation. (By comparison, while the U.S. embassy has had some luck in getting meetings related to ongoing programs without diplomatic note, especially for USAID and Public Diplomacy programs, even our access -- which most of the other diplomatic missions in town envy -- is not yet close to UNDP's.) To a large extent, this is due to the fact that the United Nations is a "neutral" organization whose multilateral focus is perceived as "safe" and without political agendas. As such, it has become one of the Government of Turkmenistan's favored assistance vehicles.

IDHR has also taken on a special, empowered status under Berdimuhamedov's direct supervision and Akhmedova's empowered and strong leadership, undoubtedly reflecting the trust that the president has in Akhmedova as well as the importance he places on this issue. But with the submission of the two UN reports coming up at the end of this year, relatively free access may also be a matter of necessity, given both the size of the task at hand and the very short timeframe for showing at the very least demonstrable progress in implementing its UN commitments. The looming submission date may also spur further improvements in Turkmenistan's human rights practices in addition to its ideals on paper. END COMMENT.

HOAGLAND